

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claim 15 is requested to be cancelled. Claims 1, 4-7 and 16 are currently being amended. Applicant notes that claims 5 and 7 are amended to correct typographical errors and not for reasons related to patentability.

This amendment changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-14 and 16 are now pending in this application.

Allowable Subject Matter

Applicant thanks the Examiner for allowing claims 5, 7-10, 14 and 16 and acknowledging that claims 4 and 13 contain allowable subject matter.

Specification

Applicant has amended the Abstract to remove the words “Title: Detector” in accordance with the Examiner’s request.

Claim Rejections under 35 U.S.C. § 102

Claim 15 is rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,94,448 (“d’Hont”). In response, without agreeing or acquiescing to the rejection, Applicant cancels claim 15. Claim 16 has been rewritten in independent form to include some of the limitations of cancelled claim 15. Applicant respectfully submits that claim 16 is allowable as amended.

Claim Rejections under 35 U.S.C. § 103

Claims 1, 2, 6, 11 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,622,567 (“Hamel et al.”) in view of U.S. Patent No. 5,94,448 (“d’Hont”). Claim 3 is rejected under 35 U.S.C. § 103 as being unpatentable over Hamel et al. in view of d’Hont and in further view of U.S. Patent No. 6,420,961 (“Bates et al.”).

In response, without agreeing or acquiescing to the rejection, Applicant amends claims 1 and 6 to further define the invention. In addition, Applicant respectfully traverses the rejection of claims 1 and 6 as amended and original claims 11 and 12 below.

Applicant relies on M.P.E.P. § 2143, which states that to establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation in the prior art to modify the reference. Second, there must be a reasonable expectation of success. Third, the prior art must teach or suggest all the claim limitations.

Applicant respectfully submits that Hamel et al. in combination with d'Hont does not disclose, teach or suggest each and every element of independent claims 1, 6 and 11. Independent claims 1 and 6 have both been amended to include the limitation of "a position processor operable to receive position information indicating the position of the detector and the output from the power monitor." Independent claim 11 is directed toward a "[a] printer operable to print on a base medium provided with at least one memory tag."

In contrast, neither Hamel et al. nor d'Hont alone, or in combination disclose a detector for detecting the presence of a memory tag comprising "a position processor operable to receive position information indicating the position of the detector and the output from the power monitor" as claimed in amended claim 1 or a read/write device for reading and/or writing data to a tag comprising "a position processor operable to receive position information indicating the position of the detector and the output from the power monitor" as claimed in amended claim 6. Accordingly, Applicant respectfully requests that the rejection be withdrawn and amended claims 1 and 6 be allowed.

In addition, neither Hamel et al. nor d'Hont alone, or in combination disclose "[a] printer operable to print on a base medium provided with at least one memory tag" as claimed in independent claim 11. Applicant notes that neither Hamel et al. nor d'Hont disclose a printer as claimed in claims 11 and 12. Accordingly, Applicant respectfully requests that the rejection be withdrawn and independent claim 11 be allowed.

In addition, claims 2-4, 12 and 13 depend from at least one of claims 1, 6 and 11 and are therefore allowable for the reasons set forth above. Thus, Applicant respectfully requests reconsideration of claims 2-4, 12 and 13 and that the rejection be withdrawn.

Conclusion

Applicant believes that the present application is now in condition for allowance.
Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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By 

William T. Ellis
Registration No. 26,874

HEWLETT-PACKARD COMPANY
Customer No.: 22879
Telephone: (202) 672-5485
Facsimile: (202) 672-5399